



Kyle W. Johnson  
DAVID, GOODMAN & MADOLE,  
A Professional Corporation  
Two Lincoln Centre  
5420 LBJ Freeway  
Suite 1200  
Dallas, TX 75240  
Telephone: (972) 991-0889  
Fax: (972) 404-0516  
Email: [kjohnson@dgmlegal.com](mailto:kjohnson@dgmlegal.com)

Attorneys for Plaintiff  
7-Eleven, Inc.

May 8, 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

7-ELEVEN, INC.,	§	
	§	
Plaintiff,	§	
	§	CASE NO. 3:08-CV-140-B
VS.	§	
	§	
	§	
PUERTO RICO-7, INC., THE MATTERA	§	
RESERVE, INC., and JOHN MATTERA,	§	
	§	
Defendants.	§	

**ORDER**

This matter came before me on the motion of the counterclaim defendant 7-ELEVEN, INC. to dismiss the counterclaim for failure to plead fraud with the particularity required by Rule 9(b) of the Federal Rules of Civil Procedure. Having considered the motion, the opposition thereto, and the reply in support thereof, the Court determines that the motion is GRANTED. Accordingly,

IT IS HEREBY ORDERED that the counterclaim in this action is dismissed.

Entered this \_\_\_\_ day of May 2008 at Dallas, Texas.

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Jane Boyle  
United States District Judge